

Congress of the United States
House of Representatives
Washington, DC 20515-4606

March 29, 2022

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave, SE
Washington, DC 20528

Dear Secretary Mayorkas,

Your job as Secretary of the Department of Homeland Security — carried out under your oath to defend the Constitution — is to secure the United States of America. Yet, you have purposefully failed to do so, and in the process you have empowered criminal drug cartels, impaired the health of Americans, damaged America's economic health, allowed illegal migrants to destroy private property, and placed American citizens at imminent risk of physical harm. These actions represent acts of impeachable conduct as Secretary — which we have documented in part — and represent a call to action for Congress to hold you to account.¹

However, even if Congress were to set aside all these previous actions representing a breach of your duty and were to focus solely on the imminent decision you are purportedly planning to take — halting, particularly at this moment, the enforcement of 42 U.S. Code § 265 (Title 42) authority at the U.S. southern border — we would still be duty bound to impeach you. Sadly, the use of Title 42 authority has been the lone vestige of southern border security policy the United States has conducted under your leadership. In fact, since you became Secretary, your Department has used Title 42 as the basis for almost ALL of those refused entry. Though, prior to your assumption of the post of DHS Secretary more than 80% were turned away and now only 50% - at least there was some brake.

Your decision to discontinue use of Title 42 policies will cause an immediate flood of illegal migration at our southern border, as well as the release of innumerable illegal migrants into the interior. You are doing this even as there remain serious restraints on Americans and serious questions about communicable disease throughout the globe. In sum, if your Department stops enforcing Title 42, you will knowingly cause irrevocable, catastrophic damage to the people and the security of the United States. This would be unconscionable and, without question, an impeachable offense in its own right.

Sincerely,



Chip Roy
Member of Congress

¹ <https://roy.house.gov/media/press-releases/rep-roy-calls-all-house-republicans-back-mayorkas-impeachment>